IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

Bail Appl..No. 4169 of 2007()

CRMP.2786/2007 of J.M.F.C.,RANNI
CR. NO.7/07 OF CHITTAR EXCISE

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PETITIONER/ACCUSED

THOMAS JOHN @ BIJU, AGED 36 YEARS,
S/O. JOHN VARGHESE, MULLANKUZHIYIL HOUSE,
GURUNATHANMANNU.

BY ADV. SRI.S.SANTOSH KUMAR (PERUNAD)

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4169 of 2007

Dated this the 11th day of July, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 1.5 litres of arrack on 27/6/07. He was arrested and continues in custody from that date. There is no allegation of antecedent criminality whatsoever against the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.50,000/-

with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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